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Security Council

Fifty-seventh year

Provisional

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Wednesday, 6 November 2002, 3 p.m.

New York

President:	Mr. Zhang Yishan	(China)
Members:	Bulgaria	Mr. Tafrov
	Cameroon	Mr. Tidjani
	Colombia	Mr. Franco
	France	Mr. Duclos
	Guinea	Mr. Traoré
	Ireland	Mr. Corr
	Mauritius	Mrs. Huree-Agarwal
	Mexico	Mrs. Arce de Jeannet
	Norway	Mr. Kolby
	Russian Federation	Mr. Gatilov
	Singapore	Mr. Yap
	Syrian Arab Republic	Mr. Atieh
	United Kingdom of Great Britain and Northern Ireland	Mr. Thomson
	United States of America	Mr. Cunningham

Agenda

Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999).

Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2002/1126)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

02-67733 (E)

The meeting was called to order at 3.10 p.m.

Adoption of the agenda

The agenda was adopted.

Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2002/1126)

The President (*spoke in Chinese*): I should like to inform the Council that I have received letters from the representatives of Denmark, Japan, Ukraine and Yugoslavia in which they request to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Šahović (Yugoslavia), took a seat at the Council table; Ms. Løj (Denmark), Mr. Motomura (Japan) and Mr. Kuchinsky (Ukraine) took the seats reserved for them at the side of the Council Chamber.

The President (*spoke in Chinese*): In accordance with the understanding reached in the Council's prior consultations, and in the absence of objection, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations.

It is so decided.

I invite Mr. Guéhenno to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members have before them document S/2002/1126, which contains the report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo.

The Security Council will now hear a briefing by Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations. I give him the floor.

Mr. Guéhenno: I am pleased to introduce the report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (UNMIK), which was circulated on 18 October, and to provide members of the Council with an update of events, particularly on the outcome of the municipal elections held on 26 October.

Turning first to the main findings of the report, it was concluded that the Kosovo Government has made a concerted effort to improve its work and that there has been substantive progress in the ministries, notably in the health and education fields. There have, however, also been negative developments in these areas, particularly the continued existence of parallel structures. In this connection, the Assembly's resistance so far to including the university in northern Mitrovica in the higher education system is regrettable.

On 1 November, Mr. Steiner sent a draft law on higher education back to the Assembly for further deliberation, as he was not satisfied that the interests of the non-majority communities had been duly taken into account. In the interim, as reported, UNMIK has established an ad hoc Regional Education Board consisting of representatives of all communities, which is temporarily responsible for discharging the responsibilities of the Ministry of Education in northern Kosovo.

The consolidation of sustainable institutions depends on an effective public administration, the recruitment of which remains slow, and training requirements are indeed enormous. The multi-ethnic character of the civil service is still hampered by obstacles, such as security concerns, inter-ethnic tensions in workplace, limitations on freedom of movement and a limited pool of minority-community applicants with the requisite qualifications.

Turning now to the security situation, the demonstrations that followed the arrests over the summer of former members of the Kosovo Liberation Army (KLA) have subsided and did not resume with the start of the trial of two former KLA members arrested earlier this year, accused of crimes against Kosovo Serbs in 1999. As the number of arrests of this nature increase, the extent of intimidation of witnesses has become apparent. As reported, current legal

provisions and material resources remain insufficient to deal with this problem, notably through an effective witness protection programme.

Regrettably, there have been further attacks against members of the Kosovo Serb community. On 10 October, there was a reprehensible attack against 50 elderly Kosovo Serbs from Osojane who had gone to Pec to register for their pension. Five suspects have since been arrested.

This period also saw unrest in Mitrovica as a result of the attempted arrest by UNMIK Police on 8 August of a Kosovo Serb leader on charges of attempted murder during the April riots. Since the Secretary-General's report was finalized, there has been a positive development in connection with this case. On 9 October, the suspect handed himself in to UNMIK Police. Based on an examination of the evidence, including video footage of the riots, the charges against him were reduced to inciting a violent demonstration. The suspect was released on bail.

Turning to UNMIK's fight against crime, the period under review saw an increase in the amount of contraband seized and a subsequent increase in the number of arrests on charges of economic crime and corruption. Efforts were also made to bolster the operational capacity of the Kosovo Organized Crime Bureau. Thanks to valuable contributions by Member States, the Bureau now has the necessary equipment and technical support, as well as the personnel, to get up and running. UNMIK's increasing effectiveness on the judicial front is seen, indeed, in the growing prison population — currently 1,022 out of a capacity of 1,130.

The Mission marked a milestone in the development of the Kosovo Police Service (KPS), with the total number of KPS officers — approximately 5,300 — exceeding for the first time the number of UNMIK Police officers. An extra police training course was added to the training programme of the Police Service School in September, specifically to train Kosovo Serb recruits from northern Mitrovica. UNMIK is also getting close to enhancing the multi-ethnic composition of the local judiciary. After intensive efforts to integrate minority communities into the judicial system, the Kosovo Judicial and Prosecutorial Council has sent to the Assembly for endorsement a list of recommended candidates for appointment to 42 posts in the local judiciary. Of these, 19 are Kosovo Albanians, 21 are Kosovo Serbs, one is Bosniac and one is Gorani. Half of the candidates are women. Those posts are to be distributed in courts throughout Kosovo, including four courts that have reopened in Leposavic and Zubin Potok.

(*spoke in French*)

I would now like to say a few words about the returns situation. As the Secretary-General's report highlighted, the state of inter-ethnic relations, and thus the climate for return, varies from one area to another. While in some municipalities there has been an improvement in freedom of movement, improved security for minority communities and increased integration into administrative structures and social services — without problems, in others municipalities there has been a deterioration in inter-communal relations, often sparked by the spontaneous return of internally displaced persons, property disputes and security incidents. There has, unfortunately, been a rise in security incidents against the Kosovo Serb community in areas where they have returned or in places where return is planned. The deteriorating climate in some areas of Kosovo is partly attributable to the period of impending municipal elections, as a result of which many Kosovo Albanian municipal leaders were unwilling to engage in the sensitive issue of returns.

On 1 November, a Task Force on Returns was formed, comprising representatives of UNMIK, the Kosovo Force (KFOR), the Provisional Institutions and the Office of the United Nations High Commissioner for Refugees, in order to coordinate and invigorate the return process by providing the process with the necessary political backing and logistical support. As noted by Prime Minister Rexhepi at the launch of the Task Force, integrating non-majority communities now living in Kosovo into the broader Kosovar society is crucial for the future return of those not yet living in Kosovo.

Funding those efforts remains another crucial aspect for the success of future returns. UNMIK presented its 2003 Returns Strategy to the donors' conference in Brussels, held on 5 November. The total funding requests for the strategy amount to 37 million euro, which includes funding for the Housing and Property Directorate as well as unmet needs for 2002.

(*spoke in English*)

UNMIK continued to foster mutually beneficial relations, both with the authorities of the Federal Republic of Yugoslavia and with the wider region. The conclusion of technical agreements with the former Yugoslav Republic of Macedonia, Albania and Slovenia and, most recently, discussions on police cooperation with the authorities of Bosnia and Herzegovina are all part of UNMIK's regional approach. It is within that context that two additional border crossings with Albania were opened in October. As members of the Council are aware, UNMIK has been conducting Kosovo's external relations from the outset, and the Council has been kept informed of that through successive reports of the Secretary-General.

The third election in three years was held on 26 October, to renew the mandate of Municipal Assemblies first elected in 2000, this time for a period of four years. The election campaign was largely free of violence and election day itself passed peacefully. The Council of Europe Election Observation Mission confirmed that the election was "... in line with Council of Europe principles and international standards for democratic elections."

The day after the elections, on 27 October, the Kosovo Albanian Municipal Assembly President of Suva Reka, who belonged to President Rugova's Democratic League of Kosovo (LDK), was killed alongside two others. Two Kosovo Albanians suspects have been arrested; there is no evidence of a politically motivated crime, but the suspects may have personal connections with a rival political group.

This year's preparations saw an increased hand-over of electoral responsibilities to local institutions. Municipal Election Commissions played a lead organizational role, and some 12,000 domestic observers were accredited for the vote. Reductions were made in international supervisory involvement, with the blanket election supervision of the last two years replaced by a ratio of one international polling station supervisor to three polling stations.

As with Kosovo's last two elections, participation was key. The overall turnout of 54 per cent — 58 per cent in Kosovo and 14 per cent for voters voting in Serbia and Montenegro — coincided with a trend of voter fatigue seen across the board in this year's Balkans elections. The overall figure was further depressed by the low participation of the Kosovo Serb community — around 20 per cent — who voted predominantly in the five municipalities where they constitute a majority, that is, the three northern municipalities, plus Strpce and Novo Brdo. There was minimal participation in areas where Kosovo Serbs are a minority and what amounts to a boycott in northern Mitrovica city.

The low turnout of Serbs has in part been attributed to confusing signals from the authorities of the Federal Republic of Yugoslavia and of Serbia regarding participation. It is also attributable to the difficulties UNMIK has experienced in demonstrating that the Kosovo Serb community can derive tangible benefits from being part of the political process; but it inevitably takes time to show such benefits.

As the report of the Secretary-General noted, however, the participation of Kosovo Serbs as appointed members of the Municipal Assemblies did, in some places, yield results for that community in areas such as employment in the municipal civil service, the distribution of municipal revenue, the joint use of municipal facilities, the determination of street names and municipal returns plans. Progress was admittedly slow and limited to a few places, but it does show that there are gains to be made through perseverance and compromise by all sides. The low participation of the Serb community in that respect is a disappointment.

Mr. Steiner certified the election results on 3 November. For the third year running, the strongest party was President Rugova's (LDK), which won the majority in 11 out of 30 municipalities and gained the highest number of votes in a further eight. That, however, represented a slight loss for the LDK, which previously had an outright majority in 19 municipalities. Kosovo-wide, the LDK gained approximately 46 per cent of the vote, similar to how it fared in last year's Assembly election.

Mr. Thaci's Democratic Party of Kosovo (PDK) won a majority in four municipalities. Overall, the PDK gained 29 per cent of the vote, up two per cent from last year's Assembly election. The PDK has signalled its intention to co-govern wherever possible with the Alliance for the Future of Kosovo (AAK), the third main Kosovo Albanian party, which won no municipality outright. The AAK gained six per cent of the overall vote, similar to last year's results.

On the basis of their participation, the Kosovo Serbs won the majority in Leposavic, Zvecan and

Zubin Potok — the three northern municipalities – and in Strpce and in Novo Brdo. The results show that where Kosovo Serbs took part in large numbers, the Return Coalition lost out to Belgrade-based parties, mainly President Kostunica's Democratic Party of Serbia (DSS) and to the Serb National Council Mitrovica (SNC).

Due to a much lower turnout in those areas where they do not constitute a majority, Kosovo Serb representation in those municipal assemblies will be minimal: the Return Coalition gained one seat each in 11 municipal assemblies, and two in one municipal assembly, that of Kamenica; the DSS gained one seat each in five municipal assemblies.

In total, 40 out of the 68 political entities represented on the ballot won at least one seat, meaning that nearly all of Kosovo's minority communities received representation in municipal assemblies where they live. For example, Kosovo's Turkish community, which had boycotted the 2000 elections, participated this year and gained a seat in the Pristina municipal assembly and four seats in Prizren. The participation of most minority communities means that the balance of power rests with them in many municipalities. In Prizren, for example, the Kosovo Turkish community will be the decisive factor in coalition-building there. It is hoped that cooperation of that nature, out of political necessity, will lead to greater integration efforts.

As a result of gender requirements in the electoral legislation and the system of closed lists, 28.5 per cent of the membership of the new municipal assemblies will be made up of women representatives. That is a substantial improvement on the 8 per cent achieved at the 2000 elections. A surprising result was the performance of newly and locally organized politically unaffiliated initiatives, which received one or more seats in approximately half of Kosovo's municipalities.

Since the elections, Mr. Steiner has been actively consulting with Kosovo's leaders and the authorities of the Federal Republic of Yugoslavia regarding the next steps. These include pushing ahead with the concept of decentralization to bring Government closer to the people. There is support for this across both the Kosovo Albanian and Kosovo Serb political spectrums.

On 1 November, Kosovo Albanian and Kosovo Serb leaders issued a statement reaffirming that Kosovo must be a truly multi-ethnic society, and that all Kosovo's communities would work within the institutions. To achieve this, the representatives of the majority community committed themselves to safeguard the rights of the smaller communities, including the right to security and freedom of movement throughout Kosovo. On the basis of that endorsement, Mr. Steiner has asked the Council of Europe to send a mission to develop a proposal for decentralization.

Given the election boycott in northern Mitrovica, UNMIK has had to adapt the implementation of its seven-point plan mentioned in the Secretary-General's report. The most pressing issue is to manage the situation created by the boycott, which has led to the election of a Mitrovica municipal assembly devoid of Kosovo Serb representatives.

In conclusion, let me say that the developments of the last four months illustrate the difficulties faced in making consistent progress on all fronts in Kosovo. It is, inevitably, slow going. Although the Kosovo Serb community would like to see faster progress in many areas — as we would all like to see and are striving for — the low turnout of Kosovo Serbs is to the detriment of that community, as it diminishes their ability to participate in decision-making processes throughout Kosovo.

It is clear from recent events that more emphasis needs to be placed on reconciliation efforts. Kosovo's leaders have a responsibility to create conditions conducive to improving intercommunal relations and promoting reconciliation. In that regard, I welcome the statement made by political leaders on 1 November of which I have already spoken. But more needs to be done, including turning words into actions and speaking out more clearly against violence. The brunt of the effort lies with the majority community. However, the Kosovo Serb community must also realize that tangible benefits can be achieved only through participation.

The President (*spoke in Chinese*): I thank Mr. Guéhenno for his briefing.

Mr. Gatilov (Russian Federation) (*spoke in Russian*): The Russian delegation thanks the Secretary-General for his report (S/2002/1126) on the United Nations Interim Administration Mission in Kosovo (UNMIK). We would also like to thank the Under-Secretary-General, Mr. Jean-Marie Guéhenno for his presentation and for his detailed briefing on the

outcome of the municipal elections that were held on 26 October in Kosovo.

The assessments and analysis provide a good opportunity for a comprehensive consideration of the situation in and around the province so that we can determine future steps to fully implement Security Council resolution 1244 (1999). According to assessments by representatives of the Organization for Security and Cooperation in Europe (OSCE) and the Council of Europe, the elections were held in accordance with international standards, without any particular violations — although, of course, it should be noted that the turnout among the Serb electorate was very low.

In northern Mitrovica, the Serbs did not simply go to the polling stations. To a significant extend, this was a demonstration of the Serb population's unfavourable view of what is being done in Kosovo by the international presence. This refers primarily to the pending problems of ensuring equal security for the entire population of the province, the establishment of conditions for the return of non-Albanian refugees and displaced persons, and the implementation of other very important aspects of the settlement on which the normalization of life in the region will depend.

We expect a further increase in UNMIK's efforts to establish conditions essential for the return of national minorities to Kosovo. In that connection, we note the establishment of the Task Force on Returns, which has began its work. The international presence has a responsibility to ensure ethnic equality, but special responsibility lies with the leaders of the ethnic majority and those of the Provisional Institutions of Self-Government of Kosovo.

We fully agree with the Secretary-General that statements by Kosovo leaders that support a policy of tolerance, reconciliation and integration need to be followed with concrete action. Unfortunately, too often we see the opposite happening. One rather blatant example of action taken in disregard of the interest of the minority and contrary to the task of ensuring ethnic equality was the consideration in the provincial Assembly of the draft law on higher education. All references to the university in northern Mitrovica were deleted from the text owing to the position taken by the Albanian majority.

We believe that in order to build a truly multi-ethnic society in Kosovo, the Albanian parties must show greater respect for the rights of other communities. The international community must continue to strive to ensure that account is taken of the legitimate interests and concerns of the various communities on the basis of agreed action by UNMIK, the Yugoslav authorities and the representatives of provincial and local institutions of authority in Kosovo. Firmer control is needed over the activities of the provincial institutions; UNMIK and the Special Representative of the Secretary-General, Mr. Steiner, personally should monitor them.

We support efforts to improve law and order in Kosovo but we cannot fail to note the existence of serious problems facing UNMIK in this area.

The main problem is deliberate opposition to UNMIK's efforts on the part of criminal elements consisting, basically, of former Kosovo Liberation Army fighters and other radical nationalistic groupings, some of which are represented in the main governing bodies of the province.

Particularly serious attention must be given to incidents of ethnically motivated violence. The large-scale disturbances in Peć, which were provoked by supporters of the main Kosovar Albanian parties exploiting feelings of intolerance at the national level, are a confirmation of the fact that extremist elements in Kosovo want to destabilize the situation there. We cannot allow such actions to cast a pall over the already complicated settlement process in the province. Every single incident of that nature deserves international condemnation and requires an appropriate response from the Security Council.

The United Nations mission must continue to work actively to establish law and order and ensure respect for the law, as required by the provisions of resolution 1244 (1999). The attempts by the Provisional Institutions of Self-Government in Kosovo to question the lawfulness of action by UNMIK in Kosovo as it seeks to combat crime and extremism is intolerable. The international community, acting through the Security Council, must halt any attacks on international personnel.

The decentralization of the work of the institutions in the province could be one of the most important elements in the establishment of a truly equal, multi-ethnic society there. The seven-point plan for northern Mitrovica proposed by Mr. Steiner, and the subsequent additions to it, are steps in the right

direction. We believe that, in order to find a real solution to decentralization, UNMIK — and Mr. Steiner himself — must work actively with all communities in the province, primarily the Kosovo Serbs, as well as with Belgrade.

We note the efforts by the Yugoslav authorities to find a constructive solution to this problem. The concept of decentralizing power, proposed by the Deputy Prime Minister of Serbia, Mr. Ćović is evidence of such efforts.

We note Mr. Guéhenno's explanations with regard to the opening of two border crossing points in the Kosovo sector of the Yugoslav-Albanian border. We believe it is necessary to stress once again that any foreign ties with Kosovo must be strictly in accordance with the principle of respect for the sovereignty and territorial integrity of the Federal Republic of Yugoslavia.

In general, we believe that it is important to strengthen constructive cooperation between the UNMIK leadership and Belgrade on the basis of the provisions in the Common Document of 5 November 2001. That, indeed, is the key to resolving many ongoing problems in implementing the provisions of resolution 1244 (1999).

Mr. Tafrov (Bulgaria) (*spoke in French*): I would like first of all to thank you, Mr. President, on behalf of my delegation, for having convened this meeting. I would also like to thank the Secretary-General for his most recent report on the United Nations Interim Administration Mission in Kosovo and Mr. Jean-Marie Guéhenno for his very detailed and useful briefing. My delegation unreservedly concurs with his assessment.

As a country associated with the European Union, Bulgaria fully associates itself with the statement to be made later by the representative of Denmark on behalf of the Union. I shall therefore confine myself to some brief comments in my national capacity.

Bulgaria welcomes the holding in Kosovo, in a peaceful and unhindered manner and under the auspices of the international community, of municipal elections. That represents an important step towards the promotion of democracy, the rule of law and the establishment of functional local-authority institutions.

The local-authority bodies that will be formed in the future on the basis of the election should help to provide solutions to the main problems of the province and its population, namely strengthening the process of creating democratic institutions, establishing the primacy of law, combating organized crime and corruption, and ensuring economic development and respect for human rights.

Bulgaria will continue actively to support the efforts of the United Nations Interim Administration Mission in Kosovo, the Kosovo Force, the Organization for Security and Cooperation in Europe, the Council of Europe and other international organizations working in Kosovo with a view to re-establishing normal living conditions for all the inhabitants of the region, whatever their ethnic origin.

We welcome the measures taken with a view to enhancing the effectiveness of the work of the Provisional Institutions of Self-Government, including the stated intention of the Assembly to consider one bill per week, as well as the matrix that has recently been introduced to allow better control of the legislative process.

Bulgaria confirms its absolute support for the policy of the Special Representative of the Secretary-General, Michael Steiner, and for the endeavours of UNMIK aimed at ensuring the equitable participation of all ethnic communities in the Provisional Institutions of Self-Government at all levels. Some progress has already been achieved in this area, but much remains to be done — Jean-Marie Guéhenno has spoken eloquently in that regard. Only eight of the 24 municipalities are multi-ethnic in nature and in those municipalities the participation of minorities is proportional to their number. We welcome that — but eight out of 24 municipalities is insufficient.

In this context, we regret the very low turnout of the Serb population in the elections, and we support Jean-Marie Guéhenno's appeal for greater participation, which is the only way to improve the lot of the Kosovo Serb community.

We call on the political leaders of Kosovo to bring their authority and influence to bear in order to develop a climate of human and inter-ethnic tolerance in the province. The continuing existence of areas of ethnic tension and of confrontational attitudes between ethnic communities is a matter of concern. That situation cannot be tolerated.

Bulgaria also appeals for continued intensive dialogue between UNMIK and the Belgrade authorities

with a view to finding an acceptable solution to all the questions relating to the lasting return of refugees and the decentralization of Kosovo.

Bulgaria reaffirms its belief that regional infrastructure projects, particularly in the areas of telecommunications and transport, represent the least costly and most effective way of investing in the stability and security of the region as a whole.

Mr. Cunningham (United States): I want to thank the Under-Secretary-General for his excellent briefing and analysis and say that I agree with his conclusions. As the Secretary-General's report (S/2002/1126) and Mr. Guéhenno's remarks indicate, the United Nations Interim Administration Mission in Kosovo (UNMIK) is moving forward on a range of complicated political and administrative challenges. We are heartened at the slow but steady progress on programmes aimed at strengthening the rule of law and improving the security situation.

While, unfortunately, there are still violent incidents, such as the post-election murder, to which Mr. Guéhenno referred, the attack on Serb pensioners in Pec and an ongoing problem with organized crime, we are satisfied that UNMIK and KFOR are responding to those difficulties in an appropriate way. We were persuaded by the priorities that Lord Ashdown set out several weeks ago during our discussion on Bosnia, in which he presented the rule of law as an essential precondition for the development of democracy.

We congratulate Special Representative Steiner on UNMIK's success in conducting municipal elections in Kosovo on 26 October. Mr. Guéhenno did a thorough job of outlining the results in the process of those elections. Clearly, in and of themselves, they are not sufficient for a truly representative and democratic Government. Our reading of the results and the dynamics of the municipal election process suggests the need for Kosovo's leaders themselves to move more aggressively on a number of fronts. They need to do more to promote security and reconciliation. In many municipalities, good governance will be possible only if parties are willing to form coalitions across party lines. We urge local leaders to move aggressively on collaborative efforts that focus on results from Government.

My delegation believes that we must move faster and further in fostering responsive and responsible Government in Kosovo, and I applaud Mr. Steiner's efforts in that regard. We need to see more effort across the political spectrum in raising the level of political dialogue. Parties must stop talking past each other and focus on solutions that will improve lives and help attract the investment that is needed to ensure a sustainable future for all the people of Kosovo.

In the most recent elections, Kosovo Serbs were faced with a confusing array of messages from their leaders. That was reflected in confusion about how to proceed. In some municipalities, the participation rate was upwards of 70 per cent. In others, such as northern Mitrovica, there was nearly a complete boycott. That leaves both UNMIK and the Council in a difficult position on how to proceed, even if there is clarity about what is required.

Two things that we think are required are that the majority must take an active role in protecting the rights of Serbs and other minorities and, secondly, that Kosovar Serbs know that minorities must participate fully in Kosovo's Provisional Institutions of Self-Government and at the local level. The international community must do all it can to encourage both to take those steps. But it is up to them to take those steps.

They must conclude on both sides that they need to overcome the past, as hard and unpleasant as that may be, in order to advance the interests of all Kosovars. We are clearly not there yet. We do not envy the Special Representative, given the challenge that he faces. We congratulate him on the success that he has had so far with his very ambitious and clear-headed approach to measuring progress on key goals through benchmarks, including his efforts on sustainable returns and his attempt to improve the difficult situation in northern Mitrovica.

I want to reiterate our support for a Council mission to Kosovo, if that will prove helpful in communicating the appropriate message to all Kosovars and in establishing a way forward towards the multi-ethnic democracy established as our goal in resolution 1244 (1999).

Mr. Duclos (France) (*spoke in French*): Allow me, Sir, to thank the Secretary-General for his report (S/2002/1126). I would also like to express our gratitude to Under-Secretary-General Jean-Marie Guéhenno for his very useful and precise account on the municipal elections just held in Kosovo.

My delegation naturally supports the statement to be made by Denmark, the current chair of the European Union, which fully expresses our position. I will therefore limit myself to three remarks in my national capacity.

With respect to the elections, we welcome the fact that they were carried out in a peaceful environment and with respect for democratic standards. However, we regret, of course, the post-electoral criminal act mentioned by Mr. Guéhenno and we condemn it. We note the excellent work done by the Organization for Security and Cooperation in Europe (OSCE) and the Council of Europe on that occasion. We welcome the mature approach taken by the local electoral commissions. Naturally, we cannot hide a certain disappointment at the level of participation in the elections. On that point, we can only share fully the judgement of Mr. Guéhenno in his conclusions. Electoral participation is today the surest way for the Serb minority to advance its cause in Kosovo.

Decentralization is a useful tool for building a modern, multi-ethnic and democratic Kosovo. We therefore welcome the call by Albanian and Serb leaders in Kosovo following their 1 November meeting with the Special Representative of the Secretary-General. We support Mr. Steiner's efforts in that direction. We support his idea of drawing on the European Council's expertise on decentralization.

We believe that the dialogue undertaken between Pristina and Belgrade has allowed for progress in several crucial areas. We particularly welcome the discussions for an orderly return of refugees. That progress encourages us to fully support the Special Representative of the Secretary-General in the strengthening of the dialogue between Pristina and Belgrade.

I will conclude my statement by welcoming the determined effort of Mr. Steiner and by calling on all elected officials to cooperate fully with him for the construction of a modern, multi-ethnic and democratic Kosovo.

Mr. Atieh (Syrian Arab Republic) *(spoke in Arabic)*: Mr. President, my delegation thanks you for your initiative of convening this meeting on Kosovo. We also express our thanks to Mr. Guéhenno for his detailed and comprehensive briefing on the most recent developments in Kosovo, in particular, with respect to the local elections recently held there.

Furthermore, my delegation welcomes the report of the Secretary-General (S/2002/1126) pursuant to Security Council resolution 1244 (1999). The report indicates that the process of establishing standards for local political leaders and officials and civil service personnel was explained and promoted on a large scale under the slogan "standards before status". It is gratifying that the majority of the political forces in Kosovo welcomed that approach and expressed their readiness to implement the agreed standards.

My delegation commends the efforts of the United Nations Interim Administration Mission in Kosovo (UNMIK) to change the political dynamics, to provide an incentive for getting rid of parallel structures and to encourage all communities to participate in joint institutions. What is a matter of concern to us is that, despite the continued efforts to increase the representation of minorities in all departments of the civil service, there remain a number of obstacles, security concerns, ethnic tension and restrictions on the freedom of movement, which limit the employment of qualified members of minorities in those institutions. The report points out that the security situation has remained calm during the period under review, despite sporadic incidents of civil unrest. Nevertheless, the report indicates that economic crime and corruption are still prevalent in the region under the control of UNMIK. Indeed, UNMIK arrested those accused of tax evasion, smuggling, money-laundering and swindling with the help of the Kosovo Force (KFOR) and the Kosovo Police Service. We support the efforts made by the United Nations with a view towards consolidating the principle of the rule of law in Kosovo, which would lead to calm in the entire region.

My delegation encourages friendly relations and regular contact between UNMIK, the Federal Republic of Yugoslavia, the former Yugoslav Republic of Macedonia, Albania and Slovenia, since this will contribute to peace and stability within the Balkan region.

In conclusion, my delegation would like to praise the efforts made by Special Representative Steiner and UNMIK towards strengthening the rule of law. We hope that the question of the return of the minorities will be accorded the necessary attention that would help to establish stability in Kosovo. We hope that the recent local elections in Kosovo will be the first step in a fruitful endeavour and will contribute to the security

and safety of all communities and ethnic minorities in the country.

Mrs. Huree-Agarwal (Mauritius): I join other speakers in thanking Mr. Guéhenno for his comprehensive and useful briefing and for introducing the Secretary-General's report.

The municipal elections held last week in Kosovo were yet another step towards democratization of institutions and increasing collective participation in the day-to-day affairs of the province. We are pleased to note the elections were conducted in a rather peaceful manner.

The 54 per cent turnout at the elections is most encouraging to my delegation, despite several attempts to boycott the elections. It is regrettable that the Serb community did not participate in the elections in large numbers, and as Mr. Guéhenno rightly pointed out, their low turnout has decreased their capacity to take part in the decision-making process.

The election of 262 women is also encouraging. We believe this is the right channel through which the concerns of vulnerable groups, especially women and children, could be addressed when framing policies and programmes.

The vision the Council has set for Kosovo will never be achieved without the full participation of all communities in the work of the provisional self-government. They should continue to cooperate with the United Nations and its Mission in Kosovo by participating in the institutions set up by the United Nations Interim Administration in Kosovo (UNMIK) in the best interest of everyone.

We hope all communities will work together to meet the standards set up by the Special Representative of the Secretary-General, Mr. Steiner. We also welcome the political will demonstrated by the Government of Kosovo to track progress in this regard.

The existence of parallel structures in the Mitrovica region continues to hamper the successful governance of the province. In this regard, we welcome the seven-point plan aimed at in co-governance and decentralization developed by Special Representative Steiner. The success of this strategy will not be possible without the cooperation of the Belgrade authorities, and our delegation hopes that they will work with UNMIK in achieving the plan for the Mitrovica region.

We are also pleased to note that the number of incoming internally displaced persons and refugees has surpassed that of the outflow of minorities from Kosovo. We believe that necessary action should be taken to address the security problem as the result of these mass returns. Proper planning is of utmost importance to insure the safety and security of those returnees.

The incidents reported in paragraph 38 of the Secretary-General's report indicate that more needs to be done to ensure the smooth integration of the internally displaced persons and refugees in the social life of Kosovo. In this regard, we welcome the recent initiative taken by Mr. Steiner to establish a task force that will oversee and invigorate the process of return to the province. However, without concrete support from all local political leaders, donors, host countries of Kosovo, refugees and the local population, the process will not achieve the required result. We therefore call on all of them to join efforts to this end.

We understand that the tasks are enormous and the challenges are difficult, but it will not be long before a peaceful, democratic, multi-ethnic Kosovo is established in line with European standards.

Finally, we pay tribute to all those who are working relentlessly in this regard.

Mr. Corr (Ireland): First, I wish to thank you, Sir, for convening this open meeting on Kosovo. I also wish to thank the Secretary-General for his detailed report on the activities of the United Nations Interim Administration Mission in Kosovo (UNMIK), and Under-Secretary-General Guéhenno for his comprehensive briefing about recent developments in the province.

Ireland fully endorses the statement which the Ambassador of Denmark will deliver on behalf of the European Union. I will therefore comment briefly in my national capacity.

We congratulate the people of Kosovo, UNMIK and all others concerned for having organized and held municipal elections on 26 October 2002, which were largely in line with international standards.

We condemn the three killings, including that of the President of the Municipal Assembly, which marred what would otherwise have been a relatively safe and secure process. The low turnout no doubt bears witness, in part, to the overriding interest of voters in

improving their standard of living rather than focusing on issues of final status. It is also due, as Under-Secretary-General Guéhenno said, to confusing political signals, as well as uncertainty on likely tangible benefits from participation in the elections.

The Council issued a statement prior to the elections which called on all Kosovo Serbs to facilitate progress towards building a democratic society by ensuring that their interests were properly represented. We particularly regret, therefore, the low turnout in certain areas by Kosovo Serbs. Nonetheless, democracy is democracy, and all elections bear their own messages.

The main message from this election is, more than ever, that the building of a democratic and multi-ethnic society in Kosovo represents the only possible way forward.

Ireland continues to support Special Representative Steiner's policy of "Standards before Status", and we welcome the development of mechanisms within UNMIK and the Provisional Institutions of Self-Government to track progress towards achieving the benchmarks. The Provisional Institutions should demonstrate their readiness to assume governmental functions by working to achieve a culture based on the rule of law, to tackle crime and violence and to ensure economic progress.

It is clear that ethnic tensions continue to cause enormous problems in Kosovo. Despite improvements in the security situation and the pace return of refugee and internally displaced persons, there continue to be difficulties with the integration of minorities. Too many still live in conditions that are incompatible with basic standards of human rights. We support UNMIK's efforts to increase sustainable refugee returns and stress the need for even closer cooperation with Belgrade on this vital issue so that returnees can live in normal, secure conditions.

The donors conference on Kosovo, co-hosted in Brussels yesterday by the European Commission and the World Bank, provided a valuable opportunity to take stock of the positive developments since the adoption of Security Council resolution 1244 (1999). However, much more needs to be achieved if Kosovo is to become a multi-ethnic, democratic entity with a fully functioning economy. While progress has been made towards the goal of economic sustainability, there remains a risk of undue aid-dependency. UNMIK and the Provisional Institutions must guard against that risk.

However, donors must not use the risk of aid-dependency as an excuse to reduce assistance to Kosovo too prematurely. Yesterday's conference demonstrated donor awareness of the need to consolidate the gains made so far and to create conditions whereby economic interaction helps to break down the ethnic barriers which, unfortunately, still pertain in Kosovo. It was important also to hear Prime Minister Rexhepi at the conference commit his Government to building a viable, multi-ethnic Kosovo in which all citizens would have access to public services and which supported the return of internally displaced persons and refugees.

Of course, the existence of parallel structures continues to pose obstacles to progress. It is essential that all judges, prosecutors and security forces work within legitimate structures and contribute to upholding the rule of law in Kosovo. We welcome efforts by UNMIK to change the political dynamic so as to provide an incentive to dismantle those structures and to encourage all communities to participate in the joint institutions. We support the concept of decentralization and ongoing efforts to draw up plans on a wide consultative basis.

My delegation continues to work to support political stability in the region as a whole on the basis of economic reform, democracy and respect for human rights. We support the efforts of Special Representative Steiner and UNMIK to implement resolution 1244 (1999). We support, as Ambassador Cunningham said earlier, a Security Council mission to Kosovo in the near future. Along with our partners in the European Union, we will continue to promote integration and regional cooperation through the Stability Pact and the stabilization and association process, as well as in our bilateral engagement with the region. It is now essential that political leaders in Kosovo play their part in ensuring progress towards European integration, including through the promotion of reconciliation and dialogue.

Mrs. Arce de Jeannet (Mexico) (*spoke in Spanish*): The delegation of Mexico wishes to thank the Under-Secretary-General for Peacekeeping Operations, Mr. Jean- Marie Guéhenno, for updating the Security Council on developments in the situation in Kosovo in general and in particular with respect to the activities

of the United Nations Interim Administration Mission in Kosovo (UNMIK), on the basis of the report of the Secretary-General of 9 October 2002 (S/2002/1126).

While the report, which is the reason for today's meeting, does not address the municipal elections held in Kosovo on 26 October, the Mexican delegation wishes to speak about those first of all. Mexico would like to highlight the importance of that electoral process having taken place in a calm atmosphere and without incident. The holding of elections in peaceful circumstances and their results constitute a significant step forward in the process of forming representative organs with the participation of all ethnic and cultural communities of Kosovo. However, Mexico is concerned by the fact that the participation of the Serb community in the election was low compared to that in the elections of November 2001.

A very positive outcome of the 26 October elections was that women represent more than 28 per cent of the members of the 30 municipal assemblies. This is a significant advance over the elections of 2000 when the proportion of women elected to the assemblies was only 8 per cent.

With respect to the report of the Secretary-General, the Mexican delegation has taken note of the progress made in the area of the building effective democratic institutions, and specifically through training for members of the assemblies, the adoption of laws on primary and secondary education, and in the area of public health.

The Mexican delegation acknowledges the efforts of the United Nations Interim Administration Mission in Kosovo to change the political climate with a view to bringing about the dismantling of parallel structures and providing an incentive for all communities to participate in the joint institutions. As suggested in the report, security problems, inter-ethnic tension in the workplace and limitations on freedom of movement continue to be impediments to the participation of minorities in the civil service. It is therefore essential for UNMIK to continue to give priority to matters relating the security situation in general and in specific cases, as well as to measures to ensure greater freedom of movement.

Among the challenges facing the Provisional Institutions of Self-Government of Kosovo and UNMIK, Mexico would like to underscore the importance of continued progress to bolster the rule of law and the development of policies aimed at establishing economic sustainability, particularly with respect to the creation of jobs and the development of the right conditions for the sustainable return of refugees, and internally displaced persons. On the question of refugees, we take note with satisfaction that last year saw an end to the net departure of members of minorities from Kosovo. But there is still much that remains to be done in order to ensure the majority of refugees return to their places of origin and find acceptable conditions which will enable them to remain there.

Mr. Kolby (Norway): Norway would like to thank Under-Secretary-General Jean-Marie Guéhenno for a very comprehensive briefing. We would also like to thank the Secretary-General for his report on the United Nations Interim Administration Mission in Kosovo (UNMIK) (S/2002/1126). We would like to reiterate Norway's full support for the priorities set forth by Special Representative Steiner and our appreciation for his substantial efforts, as well as for those of UNMIK and the Provisional Institutions of Self-Government in ensuring the implementation of Security Council resolution 1244 (1999).

Norway welcomes the largely peaceful conduct of the recent municipal elections. We strongly condemn, however, the killing of three persons the day after the elections, including the Democratic League of Kosovo leader, in Suva Reka. That incident casts a dark and ominous shadow over an otherwise well organized election process. Norway urges the responsible authorities to do their utmost to bring the perpetrators to justice. Norway welcomes the prompt condemnations of this act by political leaders in Kosovo.

Norway regrets the generally low turnout in the municipal elections. The very limited participation in some Kosovo Serb areas was most disappointing, as it unfortunately will create additional obstacles to the full integration of that community in Kosovo. However, in some of the Serb majority municipalities the turnout was very high. Zubin Potok, for instance, had a 70-per-cent turnout, and in the mixed municipality of Novo Brdo the participation was 80 per cent.

While understanding the rationale for postponing the scheduled conference on decentralization, Norway nonetheless believes that it would be unfortunate if that

work were not followed up. Dialogue between UNMIK and Belgrade will be important in that respect.

Norway welcomes Special Representative Steiner's seven-point plan for the integration of the city of Mitrovica. It is important that measures be taken to increase Kosovo Serb confidence in UNMIK in particular, and in the international community in Kosovo in general. We welcome the plan outlined by Special Representative Steiner, and look forward to seeing the results of its implementation.

Kosovo's 13 municipalities now have newly elected municipal assemblies. It will be of the utmost importance that all political parties respect the results of the election and that the implementation of those results takes place in a democratic and peaceful manner. Previous experience has shown the many difficulties that can be encountered in the implementation of election results. Kosovo's political parties must fully recognize that elections are more than a technical exercise; their very essence is about representation in political structures, thereby achieving the benchmark of the Special Representative of the Secretary-General for the realization of effective, representative and functional institutions.

Elected representatives and local administrations must assume responsibility on all levels. They must demonstrate their accountability, focusing on the tasks mandated to them. At the municipal level that pertains, first and foremost, to the delivery of public services to their respective local communities. Moreover, allocations of resources must be done in a transparent way. Corruption and nepotism must be combated.

All elected members of the municipal assemblies must now demonstrate their ability to cooperate across political and ethnic divisions. A spirit of compromise will be crucial in order to solve the many tasks and challenges awaiting them. The municipal assemblies and their administrations must promote civil society structures and human rights. Members of ethnic minorities and women must be secured proportionate representation in the local governments, as well as access to meaningful participation as civil servants. Only by fulfilling their responsibility as municipal assemblies and local administrations throughout Kosovo can the benchmark of effective, representative and functioning institutions be achieved.

The Council has decided to send a mission to Kosovo in support of UNMIK's work, and I have accepted to lead that mission. My delegation, supported by the Secretariat and in close consultations with all members of the Council, is currently working out the practical arrangements for such a mission.

Mr. Traoré (Guinea) (*spoke in French*): Allow me to thank you, Mr. President, for having convened this meeting. I would also like to convey my delegation's appreciation to Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations, for the valuable information he has just given us.

During the Security Council's debate on the subject of Kosovo in January 2002, my delegation welcomed the progress made during 2001 and called on all parties to give priority to dialogue in order to reach a negotiated settlement of outstanding issues. Further significant progress has been made since then, including the Assembly's designation of a President and Prime Minister, the successful establishment of a multi-ethnic Government, the adoption of a Government programme and the commencement of the Assembly's work. These are important steps forward in implementing the relevant resolutions of the Security Council.

The report before us describes developments in the situation on the ground since 17 July 2002. My delegation is pleased to take note of the progress now being made with regard to benchmarks. We encourage the members of the Assembly to continue to pursue training programmes in the context of building functioning democratic institutions.

We welcome the successful holding of municipal elections, which resulted in a turnout of about 54 per cent. However, we regret the low level of mobilization among the Serb community despite the many appeals made in that regard. These elections represent a new stage in establishing Kosovo's institutions, and the effective participation of all communities remains essential.

As the Secretary-General highlights in his report, the representation of all communities in central and local bodies should lead Kosovo to establish a good Government and make it possible for everyone to benefit from the tangible results of the efforts made. It is now up to all parties to face up to their responsibilities by supporting local institutions, as those institutions provide a framework for cooperation among Kosovo's citizens themselves, on the one hand, and the United Nations Interim Administration Mission

in Kosovo (UNMIK) and the countries of the region, on the other. We also encourage Mr. Steiner to continue his efforts in the areas of education, health and administration, as well as in the implementation of the seven-point plan put forth on 1 October 2002.

Enhancing the professionalism and independence of the media requires significant assistance to press bodies, in order to better enable them to meet their responsibilities.

We appreciate efforts underway to resolve the issue of missing persons. We also welcome UNMIK's efforts in this regard, which have made it possible to develop appropriate protocols to that end. The donor community should support those efforts.

Despite some isolated incidents of violence, which my delegation condemns, we welcome the current calm security situation, as well as the building of local capacity in the areas of maintaining order and the judicial system. However, there is a need to support local authorities in order to enable them to resolve the problems with prisons.

We believe that the return and reintegration of refuges and the return of property are continuing concerns that must be properly resolved. We welcome the establishment of a special group to accelerate that process announced on 1 November 2002 by the Prime Minister and the Special Representative. The cooperation of central and local leaders and the support of the international community will be essential to ensuring that this group can carry out its work effectively. Moreover, in addition to the strengthening of cooperation among the States of the region, we also welcome UNMIK's regular contact with the authorities of the Federal Republic of Yugoslavia and the Republics of Serbia and Montenegro.

We hope that the results of the donors conference in Brussels on 5 November will have a positive effect on resolving the challenges confronting Kosovo.

Finally, I would like to conclude by once again appealing to Kosovo's leaders and peoples to favour dialogue for strengthening confidence-building measures and building good-neighbourly relations with all the countries of the region.

Mr. Yap (Singapore): We would first like to thank Under-Secretary-General Guehenno for his usual thorough and useful briefing on the latest developments in Kosovo.

Looking at the overall picture, it is clear that the situation on the ground in Kosovo will continue to require continued United Nations and international engagement for some time to come. Indeed, the benchmarks process initiated by Special Representative Steiner provides a useful framework to determine the state of affairs in Kosovo. Aptly given the slogan "Standards before status", the benchmarks framework gives a precise and coherent picture of the standards that have to be achieved on the ground before an ultimate solution can be found to the issue of Kosovo.

We are, therefore, glad to note that the benchmarks approach has the support of the Kosovo political entities themselves, to the extent that the Provisional Institutions of Self-Government have established a mechanism to monitor progress and some of the Institutions have formulated action plans for attaining the standards that have been set.

We are also pleased to learn that the United Nations Interim Administration Mission in Kosovo (UNMIK) is developing a set of progress indicators to systematically track what has been achieved and to identify the aspects where greater efforts have to be made. This would facilitate something we have repeatedly encouraged: a more in-depth analysis of the benchmarks to ascertain the trend lines and any emerging threats so that necessary action can be taken.

I would like to raise two specific issues, the first of which is the consequences of the municipal elections held last month. While the elections were successfully and peacefully conducted, it is unfortunate that the Kosovo Serbs turned out in low numbers. That has not helped their cause in terms of having greater involvement in political life in Kosovo. The results of the elections bear this out. Even more so now, the majority in Kosovo must protect the rights of the minorities, and the minorities must make a greater effort to participate in the political and social life of the society. In that regard, we welcome the support given by the leaders of the Kosovo communities for the decentralization concept, and Special Representative Steiner's intention to push ahead with that concept. It is important that UNMIK engage Belgrade on the implementation of the concept.

My second point relates to returns. We agree with Mr. Steiner that returns are a top priority for all, and we support the launching by him and Prime Minister Rexhepi of the Task Force on Returns to give high-

level support to and coordinate the returns programme in order to invigorate the returns process. The goal must be for returns to be sustainable and for returnees to be integrated into society — which, we note, is far from the case in some municipalities.

The international community's continued support is essential. We hope that the donor conference for Kosovo, held in Brussels yesterday, produced the necessary outcome with respect to the funding of the returns programme.

Finally, allow me to say that my delegation looks forward to participating in a forthcoming Security Council mission to Kosovo.

Mr. Franco (Colombia) (*spoke in Spanish*): We are grateful to Mr. Guéhenno for the information he has provided, which helps us get a clearer picture of the events of recent days. Before I address some of the points made by the Under-Secretary-General, I wish to refer to the Secretary-General's report (S/2002/1126), in which we see progress in various areas. We commend the Special Representative of the Secretary-General, Mr. Steiner, and the members of the United Nations Interim Administration Mission in Kosovo (UNMIK) for the excellent job they are doing.

We wish to mention three specific points. The first point is on the return of refugees. It is good to note that the number of organized and individual returns is continuing to grow. The comprehensive fashion in which this issue is being handled has ensured that the people returning have at least the minimum security and development conditions that enable them to re-establish their lives. For that reason, we believe that the initiative of the Special Representative to create a Task Force on Returns will make it possible to appraise and improve that policy in order, as Mr. Steiner has said, "to turn this priority into reality".

My second point pertains to the situation in Mitrovica. We acknowledge that the situation in the Mitrovica area has improved substantially. I am speaking not only of the security situation, but also of the work in which UNMIK is engaged, together with the population, in an effort to dismantle the existing parallel structures and to incorporate this region into the framework that is being applied to the rest of Kosovo. For this reason, we regard the seven-point plan proposed by the Special Representative on 1 October as an important step in the right direction.

The third point relates to the political situation. There has been marked improvement in the consolidation of executive and legislative power. The commitment of the people working in these areas will make the decisions that they are making more efficient and effective. We appeal to those just elected to join in this endeavour and to work to bolster the institutions in a way that will ensure the formation of a multi-ethnic society.

There was a very high rate of abstention in the 26 October elections. We regret that majorities decided not to participate to any great extent in the electoral process. That decision, specifically that of the Kosovo Serbs, is directly detrimental to them, since it reduces their ability to influence and participate in decision-making processes. Unfortunately, the decision of certain Serb politicians to encourage a boycott by Kosovo Serbs through a disinformation campaign prevailed over the efforts of other leaders and of the international community.

These results should be cause for further reflection, because we believe that they may have been the consequence of a variety of factors, including the following: electoral fatigue; rejection of UNMIK's policies; indifference to democratic mechanisms; lack of information; the influence of electoral groups in the region; and lack of commitment on the part of local leaders to induce electors to vote. That list of concerns could go on. So we believe that these results should not be taken lightly, because through analysis of their implications and causes it may be possible to identify a promising space within which to design policies that better reflect reality.

We regret that the Special Representative's presentation of an administrative decentralization programme had to be postponed in view of the electoral results. We consider the principles of decentralization to be very important for the future administration of Kosovo. Accordingly, we are sure that Mr. Steiner will continue to try to implement his programme, with the necessary reforms. We support the initiative of proposing that the Council of Europe present a programme in this regard.

In conclusion, we would like to mention the work that has been done with neighbouring countries and, of course, with the Government of Yugoslavia. The regional perspective ensures that the programmes developed by UNMIK are not isolated and that they

enable the institutions that are being created to be self-sustaining over time.

Mr. Thomson (United Kingdom): I thank Mr. Guéhenno for his briefing. The United Kingdom supports the statement to be made by Denmark on behalf of the European Union; I have only a few comments to add in my national capacity. We believe that the United Nations Interim Administration Mission in Kosovo (UNMIK) and the other pillars are achieving steady progress in Kosovo, in difficult circumstances.

We welcome the recent visits by the Special Representative of the Secretary-General, Mr. Steiner, to Belgrade and the intensifying cooperation between him and Mr. Covic on Kosovo issues, because we believe that cooperation among Belgrade, UNMIK and the Provisional Institutions of Self-Government is essential.

We strongly support Michael Steiner's initiatives, both on Mitrovica and more generally on decentralization. We believe that it is important that the parallel structures be dismantled in north Mitrovica and that UNMIK be able to establish its authority. Of course, the United Kingdom regrets the low turnout of Serb voters in Mitrovica in the recent elections. Hard-liners ignored advice from Belgrade and from their own people, and they have lost an opportunity as a result.

We support decentralization because we want to see a truly multi-ethnic, democratic Kosovo, and we believe that local people need to take on greater responsibility for their everyday lives to achieve that reality. So, like others, we were pleased that elsewhere Serbs and other minorities did turn out to vote, even if in lower numbers in some places than we would have liked to see. Notwithstanding those low turnouts, the generally successful conduct of the election should create a good basis for further progress.

The United Kingdom strongly condemns the subsequent murder of the President of the Municipal Assembly and of two other persons in Suva Reka. The perpetrators of those acts must face justice. Such acts of criminal and extremist violence are a challenge to the international community.

The British Foreign Secretary visited Belgrade and Pristina over the past two days. He met political leaders in both places. He underlined our strong support for Special Representative Steiner's "Standards before Status" approach and the need for all sides in Kosovo to work together. What is needed is practical cooperation to improve living conditions, to promote the return of refugees and internally displaced persons and to encourage economic growth for the benefit of all the people of Kosovo.

Mr. Tidjani (Cameroon) (*spoke in French*): I should like to thank you, Mr. President, for the opportunity you have offered us to consider in a public debate the situation in Kosovo. I should also like to thank Under-Secretary-General Jean-Marie Guéhenno for his detailed, up-to-date briefing.

The international community has ministered to Kosovo since the adoption of resolution 1244 (1999). Many sacrifices have been made. Today, it seems clear that real progress has been accomplished, and that is evidence of the effectiveness of the United Nations Interim Administration Mission in Kosovo (UNMIK) and Mr. Steiner in their roles and their activities.

For UNMIK's total success, we think that multidimensional support is essential. Such support could be manifested at three levels: the level of Kosovo's socio-political components, that of Kosovo's immediate neighbours, and that of the international community.

First, the socio-economic components must understand that nothing lasting can be built without reconciliation achieved through dialogue, tolerance, recognition and acceptance of one's own identity and that of others, and integration. Only respect for those cardinal virtues will enable Kosovo to move beyond hatred, to combat crime and violence effectively and to know a harmonious political life, taking into account the interests of everyone. To that end, an integrated multi-ethnic civil service is essential, and my delegation would like to support decentralization, which can promote a truly multi-ethnic society. We support Mr. Steiner's initiatives in that area.

The second level of support should come from Kosovo's immediate neighbourhood. In fact, the inclusion of that province in the great family of the Balkans depends on greater, frank and sustained cooperation with its neighbours. Here I should like to mention, and indeed to welcome, agreements signed recently with Albania and Slovenia on the establishment of future partnerships in the areas of trade, tourism and police and transport cooperation. However, Cameroon expresses certain concerns,

particularly at the forced repatriations of mentally ill Kosovars and at the persistent tension on Kosovo's borders with its neighbours, despite existing agreements.

Finally, the third level of support should come from the international community. Despite the undeniable sacrifices made by the international community in Kosovo — efforts and sacrifices that have thus far produced positive results — the international community must remain vigilant, prudent and patient in the pursuit of the noble objectives that it has set for Kosovo. It must continue its work or risk seeing all its efforts reduced to naught. There must be greater financial support in order to strengthen the social and educational structures, the rule of law and police training. There must also be more substantial participation in the economic recovery and measures to address the severe trade deficit, to encourage foreign investment, to promote job creation and to strengthen the active population's capacities for education and training.

We welcome the municipal elections held on 26 October in Kosovo. We appreciated the calm that surrounded the preparations for those elections, as well as the fact that they proceeded according to democratic norms, as Mr. Guéhenno emphasized. However, we deplore the assassination of the President of the Suva Reka Municipal Assembly and of two members of his security staff.

An assessment of the elections, while generally positive, nevertheless reveals certain characteristics that give rise to concern. One of them is the low participation of Kosovo Serbs; at this point, we do not believe that was the best way to state their demands or to defend their cause. Another is the return of political violence, and the third is the ethnically motivated vote. In that regard, we believe that the ethnic majority has a fundamental role to play in promoting a multi-ethnic society, taking into account the interests of all the components of society. We appreciate the strong and unequivocal condemnation of the murders in Suva Reka by all the local political leaders, and we think that all of the province's political actors must understand that the future of Kosovo depends on tolerance, integration and participation.

We should like in conclusion to assure Mr. Steiner of our full support.

The President (*spoke in Chinese*): I shall now make a statement in my national capacity.

Like previous speakers, I should like to thank the Secretary-General for his report (S/2002/1126) and to thank the Under-Secretary-General for Peacekeeping Operations, Mr. Guéhenno, for his informative briefing.

My Government welcomes the holding of municipal elections in a fair and peaceful manner. The Chinese delegation takes note of the fact that the United Nations Interim Administration Mission in Kosovo (UNMIK) is developing a set of progress indicators to allow it to track the achievement of benchmarks and to highlight areas where efforts need to be intensified. Further efforts will focus on engaging the municipal level following the municipal elections.

At the same time, we also note that the Kosovo Assembly rejected the proposals of the minority representatives for the law on higher education. The Secretary-General expresses his regret at this, and we hope that this matter will be handled appropriately so as to protect the rights and interests of the minorities in a practical manner.

On the matter of elections, my delegation endorses the Secretary-General's assessment, in paragraph 49 of his report, that elections are only the first step. Meaningful participation in elective bodies at the central and local levels by all communities in Kosovo is an important element in ensuring not only successful governance, but also that Government provides good services to all communities. It is in this sense that we express our concern over the low turnout of Kosovo Serbs. We hope that UNMIK will take effective measures to ensure that Governments at the central and local levels will safeguard the interests of minorities.

As Mr. Guéhenno and all speakers here have pointed out, Kosovo still has a long way to go towards national reconciliation. The Chinese delegation will continue to follow closely developments in the situation in Kosovo. We look forward to the Security Council's mission to Kosovo, to be led by Ambassador Kolby, and we anticipate fruitful results from it.

I now resume my functions as President of the Council.

I now call on the representative of Yugoslavia.

Mr. Šahović (Yugoslavia): I would like to congratulate you, Sir, on your assumption of the presidency of the Council for this month. We are grateful to the Secretary-General for his report and to Under-Secretary-General Guéhenno for his detailed briefing and analysis.

My delegation appreciates the fact that we are discussing the issue of Kosovo and Metohija again after two months. It has been a dynamic period, marked by the local elections on 26 October. A Security Council mission was scheduled to visit the province during the elections. This, regrettably, did not take place. It is our sincere hope that a representative and high-level mission of the Council will be carried out in the near future in order to obtain first-hand knowledge of the situation on the ground, which, unfortunately, is not satisfactory.

Allow me first to make a few brief comments on the report before us, specifically on the chapter entitled "Creating conditions for sustainable returns and reintegration". It is a well-known fact that approximately a quarter of a million internally displaced persons belonging to minority communities are still unable to return to their homes, even after a three-year international presence in Kosovo and Metohija. While recognizing and respecting the need to deal with such problems as the forced repatriation of Kosovo Albanians — an issue that is highlighted in the introduction of the chapter on returns — we strongly feel that creating conditions for the return of internally displaced persons must be given priority in any serious attempt to achieve stability, democracy and multi-ethnicity in the province. Unless energetic and concrete measures to speed up the return process are taken, the number of those willing to attempt returns will certainly not increase. The data provided in the report, to the effect that 1,698 persons from minority communities have returned so far this year to Kosovo and Metohija, is telling proof of the absence of progress in the return process.

I would also like to add that activities aimed at promoting inter-ethnic dialogue at a grass-roots level, such as football and boxing events, no doubt represent positive initiatives. However, the continuing lack of returns is a problem that stems from far more basic concerns, such as the lack of security and of the freedom of movement.

The level of both was amply demonstrated a few weeks ago by a mob attack on a group of elderly Serbs who had attempted to enter a bank in Pec to collect their pensions. Moreover, according to the United Nations Interim Administration Mission in Kosovo (UNMIK), the Kosovo Albanians also hurled rocks and Molotov cocktails at the United Nations police officers called in to restore order. We appreciate that Special Representative of the Secretary-General Steiner promptly condemned this incident. Nevertheless, there are no guarantees that similar attacks will not reoccur in the future.

This brings us to the issue of the recent municipal elections. Against the background of the precarious situation on the ground, the highest authorities of my country have taken the difficult decision to call upon the Serb minority to take part in the elections. However, voting is not only an obligation; it is a right as well, which citizens are willing to exercise as long as they believe that it will improve their living conditions.

Minorities, including Serbs, did participate in the elections in the hope that the international community will more energetically seek to create conditions in which their human rights will be respected and their overall situation will get better. Despite the fact that their participation received different evaluations, it is our view that a larger turnout was not realistically possible.

Northern Mitrovica was the only municipality where the Serbs did not vote. I would not call that a boycott. My Government believes that they took this decision out of sincere fear for their survival in the city. The Federal Republic of Yugoslavia remains fully committed to achieving multi-ethnicity throughout Kosovo and Metohija, including Mitrovica. This can be done only in close cooperation among all those involved, while avoiding any steps that might exacerbate the situation. We stand ready to contribute fully to normalizing conditions in the city, including through Mr. Steiner's efforts to adjust the seven-point plan to the post-electoral situation in Mitrovica, which Mr. Guehenno mentioned.

More generally in this context, the Federal Republic of Yugoslavia supports Mr. Steiner's decision to continue discussions on the decentralization of Kosovo and Metohija in accordance with resolution 1244 (1999) and the responsibilities of UNMIK. We

also welcome the decision, resulting from Mr. Steiner's recent meeting with Serbs and Albanians alike, to invite representatives of the Council of Europe to visit the province and to discuss decentralization models with all national communities. We would like to stress the need for firm and unequivocal guarantees from the international community for decentralization. This would pave the way for the establishment of stable democratic local institutions and restore faith in the common future of all communities in Kosovo and Metohija.

Only in such changed circumstances will it be possible to achieve the prosperity of all citizens in the province. Furthermore, the economic goals addressed at the donor coordination meeting yesterday in Brussels will be attainable, again, only if such faith in a common future exists.

Allow me to briefly touch upon a few issues which are also of grave concern to us. As I said in my letter to the President of the Security Council last month, two border crossings were opened on 16 October this year between the Federal Republic of Yugoslavia and the Republic of Albania in a manner inconsistent with resolution 1244 (1999), notably with the provisions related to the sovereignty and territorial integrity of Yugoslavia.

Only a few days later, Prime Minister Bajram Rexhepi and other members of the provisional institutions of self-government paid a visit to New York that was organized in a manner contrary to the provisions of the same Security Council resolution, as well as to the Constitutional Framework. This is unacceptable to my Government, as both documents clearly define that international cooperation with respect to Kosovo and Metohija falls within the exclusive competence of UNMIK.

We expect the Security Council to prevent such departures from the established framework of competences of the provisional institutions of self-government, bearing in mind that the current status of Kosovo and Metohija has been defined clearly and solely in resolution 1244 (1999). Therefore, my Government once again calls upon the Security Council to ensure full implementation of resolution 1244 (1999).

In conclusion, I would like to point out once again that, in the period ahead, serious efforts are needed constructively to address two problems: the return of internally displaced persons and the decentralization of Kosovo and Metohija. My Government is ready to contribute fully to these efforts. Unless visible progress is achieved on these two interrelated issues soon, we will, in a few months time, be further away than we are now from our common objective — the creation of a multi-ethnic tolerant society in Kosovo and Metohija.

The President (*spoke in Chinese*): I thank the representative of Yugoslavia for his kind words addressed to me. The next speaker inscribed on my list is the representative of Denmark. I invite her to take a seat at the Council table and to make her statement.

Ms. Løj (Denmark): I have the honour to speak on behalf of the European Union. The Central and Eastern European countries associated with the European Union — Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia — and the associated countries Cyprus, Malta and Turkey, as well as the European Free Trade Association country of the European Economic Area, Iceland, align themselves with this statement.

At the outset, I would like to thank Under-Secretary-General Guéhenno for his comprehensive briefing. That briefing, together with the Secretary-General's report, gives a broad overview of the recent developments in Kosovo.

On 26 October, municipal elections took place in Kosovo. It was the first election in which all Municipal Assemblies were elected for a four-year term. The European Union commends the professional manner in which it was held. We consider the election as both free and fair. We, therefore, join the Council of Europe in describing it as a significant step in the process of creating a democratic society in Kosovo. One incident, however, did cast a shadow over the otherwise peaceful elections. That was the killing of the President of the Municipal Assembly and two other persons in Suhareke/Suva Reka. The European Union strongly condemns those killings. As they represent an attack on democracy in Kosovo, the perpetrators must be brought to justice.

The municipal elections were characterized by great variations in voter participation from district to district. The European Union regrets the low participation among the Serb minority in certain areas. We share the view of the Special Representative of the

Secretary-General, Mr. Steiner, that the Serb minority, by staying away from the ballot, missed an opportunity to contribute to shaping its communities.

Laying the foundation for economic progress is key to putting Kosovo on the path to a better future. We agree with the Secretary-General that the main challenges are creating jobs, ensuring that the basis for a market economy takes firm root and increasing the capacity of the Kosovo workforce through education and training. The Provisional Institutions must assume primary responsibility for the economic and social progress of all of Kosovo's inhabitants. In that regard, the European Union supports the work of the Kosovo Trust Agency in establishing clear property ownership, facilitating and protecting new investments, and putting idle assets into productive use. We expect to see full support from all parties to meet the difficult challenges ahead.

Continued efforts to combat organized crime and corruption will also be essential for creating a sustainable basis for economic development in Kosovo. The European Union welcomes the work done by the United Nations Interim Administration Mission in Kosovo (UNMIK) and the Kosovo Police Service in that regard.

United Nations authority throughout Kosovo is unconditional. There can be no partition, no mono-ethnicity and no parallel structures. Progress in Mitrovica depends on replacing parallel structures with legitimate institutions. It also depends on the full cooperation of local actors such as UNMIK and the Kosovo Force (KFOR) in the implementation of resolution 1244 (1999). In that connection, we stress the importance of continuing the process towards further decentralization. We reiterate our call on Belgrade to discontinue its financial and political support of the parallel structures, including the bridge watchers. Kosovo Serb judges and prosecutors must work within legitimate legal structures and thereby contribute to upholding the rule of law in Kosovo. To achieve that, we must replace fear with trust and build confidence through the concrete measures proposed by the Special Representative. That will open the way to ending confrontation between those on opposite sides of the Ibar. There is nothing to loose by cooperation for the people in the northern part of Mitrovica. They only stand to gain.

The issue of returns remains the test of Kosovo's progress towards a multi-ethnic society. The European Union remains supportive of UNMIK efforts to increase the pace of returns. In that regard, we welcome the information in the Secretary-General's report that the previous trend of net outflow of minorities has stopped. The European Union furthermore welcomes the cooperation between UNMIK and Belgrade in ensuring that returns are sustainable. However, much more could be done. We regret the reports of local obstruction of returns and urge all authorities to work with UNMIK and the Office of the United Nations High Commissioner for Refugees to improve the conditions for returns.

The fate of missing persons also remains a serious strain on all communities in Kosovo. Resolving that remains a crucial obstacle to reconciliation, and should therefore receive the necessary attention by the authorities. To that end, the European Union welcomes the work of the newly established Office on Missing Persons and Forensics.

In conclusion, I would like to stress that the European Union remains supportive of the Special Representative's policy of "Standards before Status". The focus of the Kosovo politicians must be on achieving a culture based on the rule of law, tackling crime and violence, and ensuring economic progress before considering the future status of Kosovo. The final status of Kosovo will need to be addressed in due course in line with resolution 1244 (1999). The solution must secure a society that is both multi-ethnic and democratic and that contributes to stability in the wider region.

The President (*spoke in Chinese*): The next speaker inscribed on my list is the representative of Ukraine. I invite him to take a seat at the Council table and to make his statement.

Mr. Kuchinsky (Ukraine): Let me warmly congratulate you, Sir, on your assumption of the presidency of the Security Council. According to recent weather forecasts, it seems that November will be rainy and windy. I am confident that, under your wise leadership, the Council, vessel will navigate successfully, avoiding all reefs that threaten to split it apart.

My special thanks go to Under-Secretary-General Jean-Marie Guehenno. His comprehensive briefing, as well as the report of the Secretary-General on the

activities of the United Nations Interim Administration Mission in Kosovo (UNMIK), as usual, have provided us with a clear picture of the situation on the ground.

At this late hour I will be very brief.

Since my country's position and assessment of the ongoing developments in Kosovo have been presented at our previous meetings and basically remain unchanged, I will limit myself to just a few remarks on the latest events.

Visible progress achieved by UNMIK in promoting the benchmark processes, strengthening the rule of law and laying the foundations for economic stabilization in the region give us good reason for optimism. But, I believe, it should be a very cautious optimism. The outcome of the municipal elections held on 26 October enables us to draw the conclusion that, while significant improvements have been made in the province, there are still many hurdles ahead.

The democratic nature of the elections has been widely recognized. We were pleased to learn that the voting was carried out in a calm and peaceful atmosphere. In our view, the people of Kosovo should be congratulated for their political maturity. My delegation also pays tribute to the representatives of the international presence in the region, who significantly contributed to the general success of the elections.

Undoubtedly, the Kosovo electorate has placed great trust in the hands of its newly elected leaders. Now it is important to ensure effective governance with benefits for all the national communities by proper implementation of the election results.

In this regard, I must mention that for the first time the ballots reflected the full ethnic diversity of Kosovo. Therefore, the reported information on low participation in the voting by the minorities, especially Kosovo Serbs in certain areas, was most regrettable.

However, let us face the reality. Apathy is a younger sister of a fatality. The murder of the president of the municipal assembly and two other individuals in Suva Reka, a mob attack on a group of Serb prisoners, together with a number of further security incidents, have demonstrated that UNMIK and KFOR cannot weaken their efforts to eliminate an ideology of political and ethnic intolerance in the province.

It was reported in the media that during the visit to Kosovo the Special Envoy of the United Nations Commission on Human Rights for Federal Republic of Yugoslavia and Bosnia-Herzegovina, Mr. José Cutileiro, acknowledged no improvement in the status of human rights in the region. He particularly referred to the slow process of minority returns. Of course, the press is not the most reliable source of information on such delicate issues as Kosovo. I hope that Mr. Cutileiro's final conclusions will soon appear in his report.

Nevertheless, the problem still remains. Despite intense international efforts to improve security conditions, Kosovo Serbs and other non-Albanians living in mixed ethnicity areas still fear violent intimidation. During the month of October there have been occasional flare-ups of ethnic-related violence throughout the whole region. Let me once again stress that Ukraine strongly condemns outbursts of all kinds of violence in Kosovo and calls on UNMIK and KFOR to continue their resolute actions to stop this dangerous trend.

We would also like to endorse the relevant position of the European Union and urge all Kosovo authorities to work closely with UNMIK and the Office of the United Nations High Commissioner for Refugees to improve the inter-ethnic climate, as well as the conditions for sustainable returns.

In our view, active cooperation of UNMIK with Belgrade authorities, as well as the implementation of new initiatives, undertaken by the Special Representative of the Secretary-General, Mr. Michael Steiner, together with Kosovo leaders, will definitely bring tangible results. An old proverb says that: "Everybody talks about the weather, but nobody does anything about it". The result-oriented efforts of the Special Representative leave us with the impression that the Kosovo weather could be changed. At the same time, a wide range of urgent tasks in the security, political, economic and humanitarian spheres, I believe, require more than his prompt reaction. They demand further increased attention on the part of the Security Council and appropriate coordinated support from the international community.

I wish to conclude by reaffirming Ukraine's strong commitment to the stabilization processes in the province and our readiness to continue our participation in the international activities there.

The President (*spoke in Chinese*): The next speaker on my list is the representative of Japan who I invite to take a seat at the Council table and to make his statement.

Mr. Motomura (Japan): I would like to thank you for convening this open meeting of the Security Council on the situation in Kosovo. I would also like to thank Under-Secretary-General Mr. Jean-Marie Guéhenno for his timely report.

Today, I shall focus my comments on the recent municipal elections and various related issues. The municipal elections on 26 October were the first to be held since the Provisional Institutions of Self-Government were established. Recognizing the great significance of the elections for the peace process, the Japanese Government dispatched an elections expert to the Kosovo Mission of the Organization for Security and Cooperation in Europe (OSCE), which organized the elections.

Japan welcomes the fact that, in general, the elections were conducted in a free and fair manner, with the participation of all ethnic groups. We believe the elections represent an important step toward realizing a democratic and multi-ethnic society in Kosovo. Unlike the elections in 2000, there was no Kosovo-wide boycott, although the low turnout among Serbs and the boycott in Mitrovica were disappointing. We call upon all the elected members of the municipal assemblies to work together to develop democratic local governments.

The international community must build upon the outcome of the municipal elections and continue its efforts for the construction of a democratic and multi-ethnic society throughout Kosovo. For this purpose, United Nations Interim Administration Mission in Kosovo (UNMIK) and the elected leaders should all cooperate to achieve decentralization, as the Special Representative, Michael Steiner, has urged them to do. Dismantling the parallel structure in Mitrovica will be a key to this endeavour.

Secondly, the construction of a democratic and multi-ethnic society will depend upon the expeditious return of the refugees and internally displaced persons who were forced out of the area by the conflict. From this viewpoint, we welcome the establishment of a task force on the return of refugees and internally displaced persons, and we support UNMIK's policy of organized, sustainable returns based on respect for the rights of individuals.

In addition, it is also important that the international community extend assistance for ethnic reconciliation. My Government has contributed almost $100 million for various reconstruction-assistance programmes in Kosovo. Hereafter, we intend to focus on projects that facilitate confidence-building and cooperation among the different communities. Specifically, we will pursue possibilities to contribute to small-arms control and human-resources development projects.

Finally, let me take this opportunity to refer to the issue of Security Council missions. The Council has decided to send a third mission to Kosovo. My delegation recognizes that while such missions can play an important role in determining how the United Nations should be engaged in efforts to settle a regional conflict, it is important that their cost, and the criteria for deciding when and where to dispatch them, as well as their composition, be discussed in a transparent manner.

In closing, let me assure you, Mr. President, that my Government remains committed to the peace implementation process in Kosovo. It does so in the belief that the stability and prosperity of Kosovo are also vitally important to South-East Europe as a whole.

The President (*spoke in Chinese*): There are no further speakers inscribed on my list.

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 5.25 p.m.